

MEREDITH D. STRATIGOPOULOS (*Admitted PHV*)
GUERRA, LLP
 875 E. Ashby Pl
 Suite 1200
 San Antonio, Texas 78212
 210.447.0500
 Email: mdrukker@guerrallp.com

Counsel for Plaintiff

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION**

IN RE: UBER TECHNOLOGIES, INC.,
 PASSENGER SEXUAL ASSAULT
 LITIGATION

MDL No. 3084 CRB

Honorable Charles R. Breyer

JURY TRIAL DEMANDED

This Document Relates to:

K.D. v. Uber Technologies, Inc., et al; 3:24-cv-01006-CRB

SHORT-FORM COMPLAINT AND DEMAND FOR JURY TRIAL

The Plaintiff named below files this *Short-Form Complaint and Demand for Jury Trial* against Defendants named below by and through the undersigned counsel. Plaintiff incorporates by reference the allegations contained in *Plaintiffs' Master Long-Form Complaint* in *In Re: Uber Technologies, Inc., Passenger Sexual Assault Litigation*, MDL No. 3084 in the United States District Court for the Northern District of California. Plaintiff files this *Short-Form Complaint* as permitted by Case Management Order No. 11 of this Court.

Plaintiff selects and indicates by checking-off where requested, the Parties and Causes of Actions specific to this case.

Plaintiff, by and through their undersigned counsel, allege as follows:

I. DESIGNATED FORUM¹

1. Identify the Federal District Court in which the Plaintiff would have filed in the absence of direct filing:

United States District Court for the Southern District of Texas.

("Transferee District Court").

II. IDENTIFICATION OF PARTIES**A. PLAINTIFF**

1. *Injured Plaintiff*: Name of the individual who alleges they were sexually assaulted, battered, harassed, or otherwise attacked by a driver with whom they were paired while using the Uber platform:

K.D., an individual

("Plaintiff").

2. At the time of the filing of this *Short-Form Complaint*, Plaintiff resides at:

Katy, Harris County, Texas

3. (If applicable) _____ is filing this case in a representative capacity as the _____ of the _____, and has authority to act in this representative capacity because _____.

B. DEFENDANT(S)

1. Plaintiff names the following Defendants in this action.

☒ UBER TECHNOLOGIES, INC.;²

☒ RASIER, LLC;³

☒ RASIER-CA, LLC.⁴

¹ See Pretrial Order No. 6, at II(C) (ECF No. 177).

² Delaware corporation with a principal place of business in California.

³ A limited liability company whose sole member, Uber Technologies, Inc., is a citizen of Delaware and California.

⁴ A limited liability company whose sole member, Uber Technologies, Inc., is a citizen of Delaware and California.

☐ OTHER (specify): _____. This defendant's residence is in (specify state): _____.

C. RIDE INFORMATION

1. The Plaintiff was sexually assaulted, harassed, battered, or otherwise attacked by an Uber driver in connection with a ride facilitated on the Uber platform in Harris County on October 13, 2023.
2. The Plaintiff was the account holder of the Uber account used to request the relevant ride.
3. The Plaintiff provides the following additional information about the ride:

[PLEASE SELECT/COMPLETE ONE]

☒ The Plaintiff hereby incorporates Plaintiff's disclosure of ride information produced pursuant to Pretrial Order No. 5 ¶ 4 on February 28, 2024 or to be produced in compliance with deadlines set forth in Pretrial Order No. 5 ¶ 4, and any amendments or supplements thereto.

☐ The origin of the relevant ride was _____. The requested destination of the relevant ride was _____. The driver was named _____.

III. CAUSES OF ACTION ASSERTED

1. The Causes of Action asserted in the *Plaintiffs' Master Long-Form Complaint*, and the allegations with regard thereto in the *Plaintiffs' Master Long-Form Complaint*, are adopted in this *Short-Form Complaint* by reference, except that Plaintiff opts out of and excludes the causes of action specified below:

Check any EXCLUDED causes of action	Cause of Action Number	Cause of Action
<input type="checkbox"/>	I	NEGLIGENCE (including Negligent Hiring, Retention, Supervision, and Entrustment)

Check any EXCLUDED causes of action	Cause of Action Number	Cause of Action
<input type="checkbox"/>	II	FRAUD AND MISREPRESENTATION
<input type="checkbox"/>	III	NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS
<input type="checkbox"/>	IV	COMMON CARRIER'S NON-DELEGABLE DUTY TO PROVIDE SAFE TRANSPORTATION ⁵
<input type="checkbox"/>	V	OTHER NON-DELEGABLE DUTIES TO PROVIDE SAFE TRANSPORTATION ⁶
<input type="checkbox"/>	VI	VICARIOUS LIABILITY FOR DRIVERS' TORTS – EMPLOYEE
<input type="checkbox"/>	VII	VICARIOUS LIABILITY FOR DRIVERS' TORTS – APPARENT AGENCY
<input type="checkbox"/>	VIII	VICARIOUS LIABILITY FOR DRIVERS' TORTS – RATIFICATION
<input type="checkbox"/>	IX	VICARIOUS LIABILITY FOR DRIVERS' TORTS – Cal. Public Utilities Code § 535
<input type="checkbox"/>	X	STRICT PRODUCTS LIABILITY – DESIGN DEFECT
<input type="checkbox"/>	XI	STRICT PRODUCTS LIABILITY – FAILURE TO WARN
<input type="checkbox"/>	XII	STRICT PRODUCTS LIABILITY – PRODUCT LIABILITY ACTS
<input type="checkbox"/>	XIII	UNFAIR COMPETITION LAW – Cal. Bus. & Prof. Code § 17200 et seq.

IV. ADDITIONAL CAUSES OF ACTION AND/OR ALLEGATIONS

NOTE

If Plaintiff wants to allege additional Cause(s) of Action other than those selected in paragraph III, the specific facts supporting any such additional Cause(s) of Action, must be pled in a manner complying with the requirements of the Federal Rules of Civil Procedure (see paragraph III). In doing so you may attach additional pages to this *Short-Form Complaint*.

⁵ This claim is pleaded in the *Plaintiffs' Master Long-Form Complaint* under the laws of every state **except: Arizona, Colorado, District of Columbia, Illinois** (for incidents prior to August 11, 2023), **Michigan, Montana** (for incidents prior to April 23, 2023), **New York, Pennsylvania, Wisconsin, and Wyoming**.

⁶ This claim is pleaded in *Plaintiffs' Master Long-Form Complaint* under the laws of every state **except: District of Columbia, Michigan, New York, Pennsylvania**.

1. Plaintiff asserts the following additional theories against the Defendants designated in paragraph III above:

N/A

2. If Plaintiff has additional factual allegations not set forth in *Plaintiffs' Master Long-Form Complaint*, they may be set forth below or in additional pages:

N/A

WHEREFORE, Plaintiff prays for relief and judgment against Defendants for economic and non-economic compensatory and punitive and exemplary damages, together with interest, costs of suit, attorneys' fees, and all such other relief as the Court deems proper, and such further relief as the Court deems equitable and just, and as set forth in *Plaintiffs' Master Long-Form Complaint*.

JURY DEMAND

Plaintiff hereby demands a trial by jury as to all claims in this action.

Dated: April 10, 2024

Respectfully submitted,

By: /s/ Meredith D. Stratigopoulos
 MEREDITH D. STRATIGOPOULAS (*Admitted PHV*)
GUERRA, LLP
 875 E. Ashby Pl
 Suite 1200
 San Antonio, Texas 78212
 Email: mdrukker@guerrallp.com

Counsel for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on April 10, 2024, I electronically transmitted the foregoing **SHORT-FORM COMPLAINT** to the Clerk's Office using the CM/ECF System for filing thereby transmitting a Notice of *Electronic* Filing to all CM/ECF registrants. Additionally, the foregoing was served on Defendants' counsel via email at: MDL3084-service-Uber@paulweiss.com.

/s/ Meredith D. Stratigopoulos
Meredith D. Stratigopoulos